

REMARKS

One independent claim (62) is pending.

The examiner has maintained his rejection of claim 62 under 35 USC 103 as being unpatentable over Witt in view of Tol and further in view of Bo. The examiner is urged to reconsider and withdraw his rejection.

We previously argued that the cited art does not disclose limitations on a client—present in our independent claim—that absolutely prevents deletion of an entity version that the client itself deposited if the deletion would violate a restriction caused by an earlier request of the client, and where the client will later be allowed to delete the entity version when the restriction no longer applies. The examiner responds (emphasis in original),

[T]he claim states that wherein no request sent by the client program can **enable deletion to occur in violation of the restriction caused by the first request**. Accordingly, the claim does not require focus on what particular item is deleted but the issue is whether or not that deletion that occurred was in fact in violation of the restriction.

To make it clearer that the item that cannot be deleted is the entity version we amend the claim language to read: “wherein no request sent by the client program over the network can enable deletion of the entity version to occur in violation of the restriction caused by the first request”. As we pointed out previously, the Witt scheme would be unworkable if there were no way for the client to override the file protection (see, for example, Witt column 8, lines 53 through 57).

We also previously argued that the distributed but fault tolerant nature of the deletion-protection mechanism described in the independent claim is not contemplated in any of the examiner's three references (Witt, Tol, or Bo). The examiner was not persuaded, responding that

Witt discloses that the system is also designed and in may be practiced in distributed computing environments where task remotely. It would be impossible for task to be performed correctly, and remotely in a distributed computing environment without sharing of the restriction rules.

Only a brief mention of a distributed implementation appears in Witt, occurring in the second paragraph of the detailed description in two sentences beginning in column 3, line 65. To make it perfectly clear that the present invention solves non-trivial distributed computing problems we have added the underlined text to one of the wherein clauses of the independent claim: “wherein both the independent application of the shared set of rules at each of the plurality of storage sites and the manner in which information that determines the rules is communicated between storage sites ~~is~~ are designed to prevent alterations or corruptions of the operation at a one of the plurality of storage sites from allowing the entity version to be deleted or modified at another of the plurality of storage sites in violation of the restriction on the deletion of the entity version”. The added text is well supported in the published application US20040167938 by the section “Reference Counting with Hashes,” and in particular by paragraphs [0146] and [0147]. This limitation is also discussed in dependent claim 179, which was previously presented.

Thus independent claim 62 is allowable over the art of record.

All other claims are properly dependent on claim 62 and hence are allowable therewith. Each of the dependent claims adds one or more further limitations to claim 62 that enhance patentability, but those limitations are not presently relied upon. For that reason, and not because applicants agree with the examiner, no rebuttal is offered to the examiner's rejections of the dependent claims.

Allowance of the application is requested.

Please apply any other charges or credits to deposit account 06-1050.

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Serial No. : 10/752,834
Filed : January 7, 2004
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Attorney's Docket No.: 11656-004002

Respectfully submitted,

Date: 5/18/2009

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